

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

PEIERLS FOUNDATION, INC. and	)	
E. JEFFREY PEIERLS, individually	)	
and as trustee,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 03 CV 12213 EFH
	)	
JAMES E. RURKA, MARK SKALETISKY,	)	
PAUL J. MELLETT,	)	
RICHARD ALDRICH,	)	
KATE BINGHAM,	)	
CHARLES W. NEWHALL III	)	
DAVID SCHNELL, and	)	
JOHN P. WALKER,	)	
	)	
Defendants.	)	

**MOTION FOR LEAVE TO PRACTICE PRO HAC VICE**

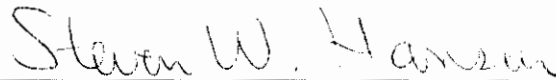
Pursuant to Local Rule 83.5.3(b), Steven W. Hansen, a member of the Bar of this Court and counsel of record for several Defendants in the above-captioned matter, hereby moves this Court that DARIUS C. OGLOZA, a partner of the law firm Latham & Watkins, and ADRIAN F. DAVIS, an associate at Latham & Watkins, be admitted to appear and practice in this Court as counsel for Defendant David Schnell.

As set forth in the attached Certificates of Mr. Ogloza and Mr. Davis, each of them is a member of the bar in good standing in every jurisdiction where he has been admitted to practice, there are no disciplinary proceedings pending against either of them as a member of the bar in any jurisdiction, and they are familiar with the Local Rules of the United States District Court for the District of Massachusetts.

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WHEREFORE, the undersigned respectfully requests that Darius C. Ogloza and Adrian F. Davis be granted leave to appear and practice in this Court as counsel for Defendant David Schnell in this action.

Respectfully submitted,

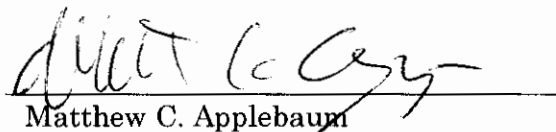


Steven W. Hansen (BBO# 220820)  
**Bingham McCutchen LLP**  
150 Federal Street  
Boston, MA 02110  
(617) 951-8000

Dated: September 15, 2005

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 15, 2005, a true and correct copy of the above and foregoing document was served by hand upon counsel for Plaintiffs, David E. Marder, Robins, Kaplan, Miller & Ciresi, L.L.P., 800 Boylston St., Boston, MA 02119 and counsel for Paul J. Mellett, Michael A. Collora, Dwyer & Collora, LLP, 100 Atlantic Ave., Boston, MA 02110; and by First-Class Mail upon counsel for Plaintiffs, Peter G. Koclanes, Netzorg McKeever Koclanes & Bernhardt LLC, 1670 Broadway, Suite 100, Denver, CO 80202.



Matthew C. Applebaum